

**MINUTES
SEMINOLE CITY COUNCIL
TUESDAY, AUGUST 25, 2009**

The Regular Meeting of the Seminole City Council was held on Tuesday, August 25, 2009, in the City Hall, City Council Chambers, 9199 - 113th Street North, Seminole, Florida.

Mayor James Johnson called the meeting to order at 7:00 p.m. The invocation was given by Councilor Thomas Barnhorn, followed by the Pledge of Allegiance.

ROLL CALL:

Present were: Councilors Patricia Plantamura, Leslie Waters, Dan Hester, Thomas Barnhorn, John Counts; Vice Mayor Bob Matthews; Mayor James Johnson; City Manager Frank Edmunds and City Clerk Ginger Stilton present. City Attorney John Elias asked to be excused.

INTRODUCTIONS AND PRESENTATIONS: Lieutenant Adrian Arnold of the Pinellas County Sheriff's Office introduced the deputies assigned to the City of Seminole:

Day Shift: Sergeant Street, Corporal Dragon, Deputy Holden, Deputy Williams, Deputy Pappas and Deputy Ackridge.

Evening Shift: Sergeant Gerretz, who was not present tonight, Corporal Willett, who was on vacation, Deputy Reid, Deputy Evans and Deputy Kaselak.

Midnight Shift: Sergeant Milliron, Corporal Ream, Deputy Morris, Deputy Bernoff, and Deputy McKenzie.

Community Policing Officers: Deputy DiSano, Deputy Borland, Deputy Krager and Deputy Schein who was on vacation.

Lieutenant Arnold who serves as the liaison between the cities and the Sheriff's Office, lastly introduced Captain LaChance who is over all of them, and is their boss.

Mayor Johnson extended thanks and appreciation for all they do to serve our community and City.

Councilor Waters was very appreciative of whoever the deputy was, that recently made her aware at 4:00 a.m. that the side door of her home was open.

1. PUBLIC COMMENT: James Quinn – 8350 112th Street North; Commented on an article in Beacon about an employee of the City of Seminole, who keeps a desk full of very sharp pencils and a very tight grip on the purse strings of Seminole, Fl. He was almost unanimously appraised for his job by the Council and Mr. Quinn said he was talking about City Manager Edmunds. Mr. Quinn said he is familiar with this form of operation/government, and the job he has to do, and wanted to say thank you, and thanked the Council for appraising Frank for his job.

2. APPROVAL OF MINUTES – REGULAR MEETING AUGUST 11, 2009.

Motion by Councilor Hester, second by Councilor Waters to approve the minutes of the Seminole City Council of Tuesday, August 11, 2009.

Councilor Plantamura said there were a couple minor typos which change the context and asked if she should get with Ginger or read them aloud. Mayor Johnson said to get with Ginger, since they are minor, and asked the Clerk to make arrangements.

UNANIMOUS APPROVAL BY ACCLAMATION.

3. CONDUCT A PUBLIC HEARING. CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 23-2009 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 11588 107TH AVENUE N.

City Clerk Stilton read the Ordinance by title only.

Mayor Johnson opened the Public Hearing. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Waters, second by Councilor Barnhorn to adopt Ordinance No. 23-2009 on Second and Final Reading.

ROLL CALL:

COUNCILOR PLANTAMURA	AYE
VICE MAYOR MATTHEWS	AYE
COUNCILOR WATERS	AYE
COUNCILOR HESTER	AYE
COUNCILOR BARNHORN	AYE
COUNCILOR COUNTS	AYE
MAYOR JOHNSON	AYE

MOTION CARRIED UNANIMOUSLY.

4. CONDUCT A PUBLIC HEARING. CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 24-2009 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 5825 LONG BAYOU WAY SOUTH.

City Clerk Stilton read the Ordinance by title only.

Mayor Johnson opened the Public Hearing. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Barnhorn, second by Vice Mayor Matthews to adopt Ordinance No. 24-2009 on Second and Final Reading.

ROLL CALL:

COUNCILOR PLANTAMURA	AYE
----------------------	-----

VICE MAYOR MATTHEWS	AYE
COUNCILOR WATERS	AYE
COUNCILOR HESTER	AYE
COUNCILOR BARNHORN	AYE
COUNCILOR COUNTS	AYE
MAYOR JOHNSON	AYE

MOTION CARRIED UNANIMOUSLY.

5. CONDUCT A PUBLIC HEARING. CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 25-2009 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 12951 ESTATES TERRACE SOUTH.

City Clerk Stilton read the Ordinance by title only.

Mayor Johnson opened the Public Hearing. Receiving no public comment, the Public Hearing was closed.

Motion by Vice Mayor Matthews, second by Councilor Hester to adopt Ordinance No. 25-2009 on Second and Final Reading.

ROLL CALL:

COUNCILOR PLANTAMURA	AYE
VICE MAYOR MATTHEWS	AYE
COUNCILOR WATERS	AYE
COUNCILOR HESTER	AYE
COUNCILOR BARNHORN	AYE
COUNCILOR COUNTS	AYE
MAYOR JOHNSON	AYE

MOTION CARRIED UNANIMOUSLY.

6. CONDUCT A PUBLIC HEARING. CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 26-2009 REGARDING ANNEXING PORTIONS OF PUBLIC RIGHTS OF WAY.

City Clerk Stilton read the Ordinance by title only.

Motion by Councilor Waters, second by Councilor Barnhorn to adopt Ordinance No. 26-2009 on Second and Final Reading.

Councilor Hester asked the City Manager to explain for those who might not have been here and those that may be watching for the first time at home what does this refer to; almost 32 acres of additional annexation of Public Right-of-Ways. City Manager Edmunds said over the years of voluntary annexation, we have annexed individual residential parcels on residential streets and have not annexed the roadways that those parcels front on. Over time it has become difficult to determine jurisdiction-whether it was county or city jurisdiction on the maintenance of those roadways, and most of the roadways that have been identified here, we have considerably

annexed properties adjoining those roadways and it is appropriate to shift those responsibilities from the county to the city, for maintenance, traffic control and regulation in general.

Councilor Plantamura added; additional information on that is that these properties are primarily located along 113th Street, Seminole Blvd., Park Blvd., and Welch Causeway. The question asked at last meeting and again today for clarification, is the only expense that we have, I believe, with the acquisition of the annexation of these properties our mowing and paving, providing drainage and sidewalks-is that correct? City Manager Edmunds answered for the most part. Some of the residential streets will have resurfacing obligations in the future but for the most part your description is accurate. Councilor Plantamura asked, if we were not actually paying for any of this land. City Manager Edmunds said we were not paying for the annexed areas, but on the roadways which are county roadways, they will still have the obligation to repaving, doing curb repair, doing sidewalk repair, but on those streets which are strictly residential, it will be our obligation to do those repairs in the future.

ROLL CALL:

COUNCILOR PLANTAMURA	AYE
VICE MAYOR MATTHEWS	AYE
COUNCILOR WATERS	AYE
COUNCILOR HESTER	AYE
COUNCILOR BARNHORN	AYE
COUNCILOR COUNTS	AYE
MAYOR JOHNSON	AYE

MOTION CARRIED UNANIMOUSLY.

Councilor Plantamura said she did not know if this were proper protocol, but recognized a member from the audience had their hand up, and asked if it were too late for public comment. Mayor Johnson said they would have to wait until under new business or old business, because they were past that.

7. CONSIDER A FIRST READING OF ORDINANCE NO. 29-2009 REGARDING THE PLACEMENT OF CELL TOWERS.

City Clerk Stilton read the Ordinance by title only.

Motion by Councilor Hester, second by Vice Mayor Matthews to approve Ordinance No. 29-2009 on First Reading.

Councilor Plantamura said that she was seeing the reason for this was the Code currently does not limit the number of cell towers that can be placed on a property, and staff proposes to amend the Code to specifically limit the number of cell towers, wondering what prompted the ordinance change to have any specific number of cell towers on property. Community Development Director Ely said to answer your question directly, the Telecom Act of 1996 says that cities can not band cell towers, but you can place appropriate zoning regulations on where they can be located. The City Manager had announced a month or so ago that we have an application for a cell tower to go on the United States Postal Service property, and during review of the ordinance

which was put into place over a decade ago it came to our attention that there is no limit on the number of cell towers that can be placed on any one particular property, and since we can not band them under Federal law our Code needs to be brought up to the fact that if Council so desires not to have antenna farms on individual properties, that we are proposing that there be one tower on every one property. Towers can be up to 160 feet tall.

Councilor Plantamura asked if the size of the property mattered, because on Starkey Road there is a property with a huge tower, and is it a specific parcel piece one would limit it to. Director Ely explained that was a different animal, and that tower was built decades ago, adding the current Code says that the parcel of property that holds the tower; if the tower were to fall it must fall and still stay on its same property. That would not happen obviously with the telescoping towers. What we are talking about in this case, were your monopoles and the big antenna towers.

You could not place one of those big antennas on property today because it could not meet the fall radius. Councilor Plantamura continued, specifically the ordinance says only one tower will be permitted to be located on any one parcel, so if someone owned ten acres of land, is that considered one parcel. Director Ely said a parcel is defined by its outer boundaries, and the reason for the other caveat about minimum road frontage is so someone will not just go and sell off a piece of their property, so as to be able to have a tower to get around this subdividing of property. We are trying to be as fair as possible by saying if you want to have a cell tower on your property you are allowed one, on your property. But to answer your question directly, a ten acre parcel, whatever the four boundaries are on that property would be defined as that parcel. Councilor Plantamura asked again is there a problem with this, or did we just want to clarify something by changing the ordinance. Director Ely said it is not a particular problem, it is unusual to allow more than one tower on any one piece of property, and since we have an application we are trying to get out in front of this so in the future if someone puts a cell tower up and then turns around and wants to apply for another tower, you could have two 150 feet towers next to each other, three, four five...right now there is no limit to the number of applications to one property that people could apply to put up as many towers as they want. Councilor Plantamura said if you had ten acres, you could only have one tower. Director Ely said that is correct. Councilor Plantamura said this is specifically only on Commercial, Industrial and Public Property. Director Ely said because those are the only zoning districts which allow cell towers at all. Councilor Plantamura said o.k., this is for the clarification of the interest of the public is why she is saying that. Director Ely reiterated, we can not band them under law, but they can restrict certain aspects of how they are located.

Mayor Johnson asked can they request the type of tower that they would place on this property, or antenna or disk. Director Ely said do you mean a palm tree or pine tree, flagpole. Mayor Johnson said yes, flagpole or something of that nature. Director Ely said yes they can negotiate that, they are called stealth towers, and we are negotiating with the applicant to that end.

ROLL CALL:

COUNCILOR PLANTAMURA	NAY
VICE MAYOR MATTHEWS	AYE
COUNCILOR WATERS	AYE
COUNCILOR HESTER	AYE
COUNCILOR BARNHORN	AYE

COUNCILOR COUNTS
MAYOR JOHNSON

AYE
AYE

MOTION CARRIED 6-1.

8. CONSIDER AUTHORIZATION TO EXECUTE A ONE YEAR CONTRACT EXTENSION WITH PINELLAS COUNTY FIRE AUTHORITY FOR FIRE PROTECTION SERVICES.

Motion by Vice Mayor Matthews, second by Councilor Waters to authorize the City Manager to execute a one year extension to the Fire Protection Services Agreement with Pinellas County Government.

Councilor Plantamura said it looks like in the present situation, our City contracts each year to provide Fire Protection Services to the unincorporated areas of Seminole, and asked is that correct. (City Manager Edmunds indicated yes.) Councilor Plantamura asked in the future should Pinellas County decide not to contract with us on an annual basis countywide what is the financial impact for our city. City Manager Edmunds said the answer to the first question is that absolutely the county could in future years elect not to contract for the service; it would require a legislative act to modify our boundaries, so it is not as if next year Pinellas County government could say we are not going to contract with you to provide service to the areas surrounding our City. It would require a legislative delegation to actually introduce a Bill to modify our Fire District. But if that were to happen and there be either realignment or an elimination or reduction of our service area, there would be a corresponding reduction in revenue and a corresponding reduction in service.

UNANIMOUS APPROVAL BY ACCLAMATION.

9. CONSIDER AUTHORIZATION TO ESTABLISH A NO PARKING ZONE ALONG THE WEST SIDE OF PARK STREET IN THE VICINITY OF THE LAKE SEMINOLE BYPASS CANAL BRIDGE.

Motion by Councilor Counts, second by Vice Mayor Matthews to authorize the establishment of a no parking zone along the west side of Park Street, 200 feet northerly and 125 feet southerly of the bypass canal bridge.

Councilor Plantamura said for the benefit of the public, again, this creation of a no parking zone is in the right-of-way and it would address the safety concerns where vehicles are entering and existing on that part of the road, it would reduce illegal dumping in the area, and I believe there is erosion in the area also where people go down to fish and leave their junk, so that is the reason for this recommendation.

UNANIMOUS APPROVAL BY ACCLAMATION.

10. CONSIDER SETTLEMENT OF A CODE ENFORCEMENT LIEN AGAINST PROPERTY LOCATED AT 9260 79TH AVENUE N.

Motion by Councilor Hester, second by Vice Mayor Matthews to authorize the City Manager to release a Code Enforcement lien for property located at 9260 79th Avenue North.

Councilor Plantamura asked since they owed more than \$23,000 on the fines to the City, how did we arrive at only \$1,000 for the bank to pay, if they owed so much more than that. City Manager Edmunds explained, early on in the recession we started to experience property maintenance issues, at a number of properties, and their practice at that time was to bring those properties to the Special Master, and have the Special Master hear the evidence and then assign a judgment. In this particular case it was a fine that would increase per day until the property was brought into compliance-hence the huge amount due. The whole theory behind that process was that it was to serve as an incentive for someone to go and do the right thing and mow, and clean their property up. That did not just happen in this case. As the material submitted indicates, the property has gone into foreclosure, it did finally come into compliance, but it came into compliance with the new process we have initiated last year where we again, do a citation of the property but rather than go through this effort that really inflates the fine amount, we actually delegate Public works personnel to go and clean up the property and we then lien the property for the amount it costs us to clean the property. It is far more equitable, and we are actually seeing better results throughout the community using that process. In this particular case I did inquire what was our real cost associated with this action, and it was approximately \$330 so we are recovering some additional monies over our costs, and clearly the property is ready to be sold, the bank is anxious to sell it and will put a new owner in that neighborhood and hopefully alleviate future problems dealing with this particular piece of property. Councilor Plantamura said this is primarily the compounding of daily fines which took it up to \$23,000. City Manager Edmunds replied yes. Councilor Plantamura asked also, who is the Special Master that you are talking about. City Manager Edmunds explained the Special Master, Attorney Jim Denhardt, who also represents other cities, hears our property maintenance appeals, and cases for us. Councilor Plantamura said she appreciates that, thank you.

UNANIMOUS APPROVAL BY ACCLAMATION.

11. CITY COUNCIL REPORTS.

- Councilor Plantamura presented her report on the Florida League of Cities (FLC):
Last week, we Council Members attended the Florida League of Cities Annual Conference in Orlando. All Councilors here, with the exception of Councilor Hester attended. The League has asked us to share locally what we learned at the Conference, and since taxpayers paid for this, I will share, and I'm looking forward to hearing from the other Councilors tonight.
Before I give my report, I want to say that City Clerk Stilton put together a binder for our attendance at this conference, which ranged from RSVPs to events, checks with tax exemption proof attached, and even Map Quest directions on how to get from Seminole, to the check-in desk in Orlando. I'm not easily impressed, but I was really impressed with this effort. Kudos, and many thanks to Ginger.
As for my report, the Florida League directed newly elected officials to attend a "Cities 101 Workshop" which presented the Structure and Function of Cities in Florida. We also attended the "First Time Attendees" Orientation, which was an overview of the Florida League, and how to become more active. I was really encouraged to learn of the Florida League's efforts, and the

National League priorities, which are very much on board with health care reform and the expansion of coverage for all Americans. Incidentally, one of our speakers, Senator Bill Bradley also advocated for health care reform. The National League also emphasizes local leadership in environmental sustainability and conservation, and specifically encourages us to support creative, community level efforts towards conservation. I am glad to know that my views on health care reform and the environment are in the mainstream. I hope this will encourage each of us to take a closer look at the ongoing efforts of resident Mary DeGeorge, and her conservation ideas for our City.

I learned from Councilor Waters that we should be inviting our State Legislators to speak to us here on Council. Along those lines, I ask that we invite Representative Janet Long to a future Council meeting. I believe that she sponsored the House version of SB 216, which states that local governments may not expend public funds concerning issues which are subject to the vote of the electors. Mayor Johnson, how and when can we get Representative Janet Long invited to a future Council meeting? This would be good information to get directly from her, as the sponsor of that Bill. I would like to know what other Council Members think of my idea.

League President Carmine Priore emphasized that we should advocate for civic education in our communities. I attended a workshop which spoke of a Citizen's Academy, which focuses on educating citizens about City governmental processes, and ultimately may encourage citizen involvement in the community. After we finish with the 2010 budget, and Charter Review, I hope we can look into that.

The Conference was well done. The speakers were Colin Powell's son, former Senator Bill Bradley, and Florida's Chief Financial Officer, Alex Sink. There was also a Past Presidents' Luncheon and I was pleased to see our former Mayor, Dottie Reeder, also, a former President of the Florida League, as she was held in high regard by that organization.

The Conference emphasized that, leadership and learning, are indispensable from each other. I am glad to know that there are state and National efforts outside of our City, in which we may learn more, and become more active.

Some of my fellow Council Members have attended this Conference for a number of years, so I am looking forward to hearing their reports tonight, and hearing about what we can use in our City. Specifically, if any of my colleagues made it to the federal Stimulus money workshops; I'd like to hear about what they learned there. The "newly elected" meetings didn't allow for me to attend those sessions.

In a past meeting, Councilor Barnhorn asked Council to elect him, as our voting member at this Conference. I look forward to hearing from Councilor Barnhorn tonight on what Resolutions he voted for, on behalf of our City. This concludes my report.

- Vice Mayor Matthews reported he had attended the Florida League of Cities Conference, and enjoyed a number of the meetings, but the practice in the past has been that the reports have been scheduled under workshop or presentations, and he was not prepared to present anything tonight. He said he does have some information to share if they schedule that as a presentation from Council.
- Councilor Waters presented her report: Three things...
 - 1) Regarding the Seminole "Back to School Supply" Drive; Thank you to City employees and residents for adding to the "Back to School Drive" over the past two weeks. All contributions were appreciated, and have been added to the school supplies collected by the Seminole Chamber of Commerce. Hopefully, next year we can double or triple what we brought in this

year! 2) Regarding the Memory Walk, Alzheimer's Association; Again I would like to remind the citizens of Seminole of the Alzheimer's Association's Memory Walk, planned for Saturday, September 26th at the St. Petersburg Pier. I will be lacing up my walking shoes and would invite interested folks to join me, or coordinate with me on contributing to the cause. 3) Habitat for Humanity; Along with Mayor Johnson, Councilor Barnhorn and City Manager Edmunds, I attended the first ever Seminole Habitat for Humanity home dedication for the newly renovated Kinny home. The celebration was well attended by Habitat volunteers, the new owner's family and friends, and community leaders. A proud new homeowner, a beautiful refurbished house certainly improved a wonderful Seminole neighborhood. I for one would love to see more Habitat for Humanity homes in Seminole. For more information concerning Habitat for Humanity, contact Barbara Inman, Executive Director, at 536-4755.

- Councilor Barnhorn reported: He attended Ms. Kinny's house; Habitat for Humanity and it was just a warm feeling all around. Also attended and served on the FLC's Finance and Taxation Committee, where they discussed the Legislative Bills which passed and failed. They talked about the pitfalls and dangers of Tabor style tax cap, and if we are going to have tax reform we are going to have to have true tax reform one that will balance between quality and equity-not just cutting out a piece here or cutting out a piece there. They discussed the problems many cities are facing with eh municipal pension plans, the non-homestead cap that was voted in and the property appraisers, how they are now allowed to use imaging to appraise your home with digital imaging cameras from satellites; they do not actually have to make physical visits if they do not want to, but the burden of proof falls upon them if they make a change. From that meeting he went to the League Conference at that point, but before he talks about that he wanted to mention he also attended the Seminole Chamber power luncheon, where he found out there was a Director of the Pinellas County Sports Authority, and did not realize they had one here. He represented our City at a reception, along with the Mayor for Jeff Lash who is leaving as Florida's President of Progress Energy, and Vincent Dolan, the incoming. Attended the Be the Wall Campaign in St. Pete, where they are fighting substance abuse in youth as one of the campaigns that PAR put up. Also attended the Suncoast League of Cities (SLC) planning meeting, and discussed the SLC priority issues 1) Hometown Democracy 2) Light Rail System and the fact there is no one to champion the cause 3) Off shore Drilling. During opening session, the National League of Cities (NLC) President Cathy Novak remarked on the National Healthcare Reform issue, and was not well received, Followed by U.S. Senator Bradley who spoke to them about team work, and briefly mentioned National Healthcare, but his message was and he quoted "The real tragedy is not in death, but in convictions not expressed, commitments not met and public service not fulfilled." He challenged them to encourage civic engagement among their citizens and to step out of comfort zones and inform, educate and listen to their constituents. Of the numerous workshops, he attended one on Fraud Law and how the Federal government is actually looking at local officials and their involvement and ideas. Most of the major cities, including Tampa, now have a dedicated task force for this item. (He will make copies of this item and distribute to everyone). Also attended a workshop on Tabors Initiatives; how the tax cap could have some detrimental effects on us. Other workshops included Public Networking-found out what it meant to tweet and several other things as far as the good and bad sides for elected officials. In networking and listening to some of the other cities and problems they had made him feel grateful to live in Seminole. With regard to voting, all of the proclamations came early with the exception of two, and they said they would be changing the

format. Councilor Barnhorn reported that they actually said if any member felt like they needed to stop the vote during the meeting and talk to a representative of the City, they could do that and stop the vote allowing that conversation to be in the open. One of the add-ons was a resolution for support of the Homeowner's Defense Act of 2009 which would make catastrophic defense insurance available through out the United States.

The other add-on was a Resolution was providing an additional Ad Valorum. They passed a credit for anyone who was currently active in the military in a war zone that they get a credit on their taxes that year-the city says if we were to give them a credit let's just wipe the Ad Valorum taxes out for that year while they were defending our country in a combat zone. Every single one was passed unanimously. He saw former Mayor Dottie Reeder and her husband along with the other past Presidents of the League, and she did us very proud there. The weekend was concluded by enjoying Florida culinary treats and an inspiring speech by columnist Dave Berry, who left them with parting advice: "if our city ever has a very, very large problem, do not contact the Oregon State Highway Department for a solution." Councilor Barnhorn said if you want to know more about that, ask him later.

- Councilor Counts asked how do you follow Thom?...He reported he also attended the Convention and if anyone wanted to know what he gathered out of it they could get with him later, and please feel free to see him. Otherwise he found it to be some what informative and also the networking was beneficial.
- Mayor Johnson reported he also attended the FLC and really thinks Thom has said it all and Councilor Plantamura-they just about covered everything there is to cover, and they did an outstanding job by the way. The biggest issue was Hometown Democracy, which is really going to be a serious affair in 2010. The Rail Program is interesting people from Orlando to Tampa and St. Petersburg and is an ongoing issue. Healthcare, my goodness, that is really, really important and there was a lot of talk about that. We did enjoy Bill Bradley, he used to play basketball and some of you folks may remember that. Alex Sink, she is really for the cities, and really pro small business which was nice to hear. The average small business in Florida averages about nine employees, so it was a good learning process and they had a good time also. He also attended the Progress Energy reception they had for the new CEO at Mahaffey Theatre. One of the things he really enjoyed was to present a U.S. Flag to a lady who was awarded a Habitat for Humanity home, right behind City Hall. She was so thrilled that we would do that. It is nice to see the after all these years a first Habitat for Humanity home in Seminole.

12. CITY MANAGER REPORTS.

- First meeting of Council in September will be September 3, 2009 beginning at 6:00 p.m. which will be a business meeting to include a Public Hearing and first consideration of the FY 2010 Budget.
- Next Business meeting is scheduled for September 23, 2009 beginning at 7:00 p.m.
- Reminded Council of the Music in the Park Series beginning September 18th at 7:00 p.m. and additional information will follow, and Recreation staff would like Council there the first evening to make appropriate recognitions.
- The No Conflict certificate Director Kyne distributed is associated with the 5.5 million dollar borrowing issue that we are now processing. We will ask that you sign that at the next meeting.
- Tentatively scheduled, is a Charter Review Workshop for Tuesday, October 6, 2009.

- This Friday at noon will be the groundbreaking ceremony for the new EOC/Public Works facility.
- Distributed this evening is a position description for the City Clerk. In that description that was adopted by Mayor and Council on March 10, 2009 and indicates the City Manager is responsible to conduct the annual performance evaluation with a report to City Council. I will be in that process since in September the City Clerk completes the six month probationary period. The report will be presented to Council during one of your business meetings. I would encourage Council as we discussed during the adoption of this position description, if you have any comments that you would like to be included in that report, although not necessary, I definitely encourage you to call me, speak with me at your earliest convenience.

13. OLD BUSINESS.

Councilor Hester stated he did not know if this were new business or old business, but would respectfully ask for five minutes of the floor. Mayor Johnson said yes, and Councilor Hester thanked him and proceeded to present his views regarding a recent newspaper article about the SPCA. Please see attached.

14. NEW BUSINESS.

Councilor Barnhorn wanted to know if Council would like participate in the Field of Screams, because he would be participating, one way or the other and wanted to know if the Council wanted to decorate a table or booth as in the past. He asked if Council wanted to go out and get new decorations so they could make an appropriately decorated Halloween tent that they can give candy out in, we have done it in the past, but the decorations are 10-12 years old and falling apart.

Councilor Plantamura said being new and for the benefit of the public, said she had no idea what a Field of Screams is. Councilor Barnhorn explained that the Recreation Center puts on a safe Halloween event which allows the businesses in the area to set up a little table dress up in the appropriate Halloween attire and hand out candy to the kids. It is really a good time. Council usually does it every year except for last year because the decorations fell apart and there wasn't time to resurrect it at that time. So I am asking now so Director Sheets has enough time, and to find out if Councilors will show up. It is going to be on that Friday, which I believe is the 30th of October. Mayor Johnson said he would help him, and Councilor Waters said it sounds fun-some of us don't even need a costume. City Manager Edmunds said he would pursue that.

Mayor Johnson called upon two citizens who had wanted to speak earlier.

Mr. Stephen Woodard, 12161 - 100th Avenue N.; He said he has known Dan Hester for over twenty years as a neighbor and a friend, and believe him when he says he is an animal activist, always has been, so what he feels is what he means, and I agree with him on everything. SPCA is a great organization and Dan's had a lot to do with it.

Ms. Karen Hankinson, 4750 Welch Causeway; She wanted some clarification on one of the annexation areas from the paper article; Portion 3 Welch Causeway. She said Welch Causeway is a

service road that runs parallel to Tom Stuart Causeway, and Welch Causeway is zoned Professional Office and Residential Combination-not just Residential, and that whole area is still in unincorporated Pinellas, so I am not sure what abuts that to Seminole that is allowing the continuation, and would like some clarification on that because I am on that Causeway. Community Development Director Ely explained they annexed the Welch Causeway roadway-they did not annex the frontage road that is behind the fence that runs along the area. Ms. Hankinson said that is Welch Causeway. Director Ely said that is correct-on the tax map it is called the Welch Causeway Frontage Road. We did not annex the Frontage Road, we did not annex any of the private property on the inside of the fence across the Frontage Road or along that area-just the main State Highway portion of the road is what we annexed. Ms. Hankinson asked, so that's where Seminole Blvd. goes and forks into Tom Stuart Causeway and the bay Pines area. Director Ely said correct, we did not annex the Frontage Road behind the fence or private property. Ms. Hankinson said so it is still unincorporated Pinellas County. Director Ely said yes.

15. CONSIDER A MOTION FOR ADJOURNMENT.

Motion by Councilor Waters, second by Councilor Counts to adjourn.

UNANIMOUS APPROVAL BY ACCLAMATION.

Date Approved: _____

Ginger Stilton, CMC
City Clerk

James Johnson
Mayor

Councilor Hester's commentary follows.

Mr. Mayor, Mr. Vice Mayor, fellow Council Members and residents of our fine City:

For those of you who know me well, you know for the past 25 years I have been involved in promoting the protection of all animals and animal rights.

On August 13, 2009, the St. Petersburg Times did a story on the SPCA Tampa Bay titled "Is the SPCA a no-kill shelter? Not really" and placed the story on the front page of their newspaper. As a result of the story, our community has responded with a range of emotions from shock to frustration.

I'm not here tonight to debate the accuracy of the article which I believe was an attempt to tarnish and embarrass the excellent reputation of this organization, Board, staff, volunteers and donors. I base my opinion on the fact that the Times found it necessary to provide front page coverage of an article which focused on in their words "Animals taken to the SPCA Tampa Bay stand about a 50-50 chance of leaving alive." It's clear to me from the article that the Times was more aroused by highlighting the unfortunate result of a national problem of too many animals and not enough homes, then to focus on all of the good this organization does in our community.

The City of Seminole has directly supported the SPCA for many years as a result of the services it provides our residents. I have personal experience with the SPCA, as a volunteer, donor, adopter and previous Board Member. I know first hand how difficult of an environment it is to work and volunteer there. I witnessed on a daily basis the extreme levels of stress and emotional frustration due to the volumes of animals arriving at the facility daily. But even in this most difficult situation and with out fail, the dedicated staff and volunteers would roll up their sleeves day in and day out and do the best job possible given the circumstances.

What do we know about the SPCA and some of the services it provides our community?

1. The SPCA has never claimed to be a "no kill" shelter although I do believe that on occasion certain volunteers may have misspoken and I also believe sometimes people hear what they want to hear.

2. The SPCA is the only non-profit "open admissions" shelter in Tampa Bay. It's important to understand that an open admissions shelter takes in all animals regardless of their adoptability versus "limited admissions" shelter who take in animals for which they have enough space and have the highest likelihood of being adopted.

3. Most recent statistics show the SPCA took in 13,160 dogs and cats. 5,206 were adopted and 4,481 were humanely euthanized.

4. The SPCA is the largest pet adoption facility in Tampa Bay adopting more animals than Hillsborough, Pasco and Pinellas Counties Animal Services.

5. The SPCA teaches volunteers, adopters, the public and shelter personnel so they can train proper techniques in animal care and behavior assistance.

6. The SPCA has Abuse Prevention Training Programs for middle high school/high school, social workers and law enforcement professionals.

7. The SPCA has a Proactive Animal Cruelty Investigations Department that handled over 1,500 cruelty investigations & re-investigations last year.

8. Disaster Response & Recovery Program.

9. 24 Hour a Day Ambulance service for sick and injured stray animals.

10. Lost & Found Pet Assistance.

11. Spay/Neuter Assistance for Low Income

12. Fix-a-Pit Program providing FREE spay/neutering for Pit Bulls or Pit Mix breeds.

So you can see the SPCA ~~Tampa Bay~~ is more than just an animal shelter.

So what improvements can be made at the SPCA?

1. It can be summed up in one word "Transparency". The Board has made a commitment to the public to improve the level of communication to insure those affiliated with the organization understand what an "open admissions" shelter is and to insure anybody who drops off an animal at the facility understands the protocol of an "open admissions" shelter.

What is the ultimate solution to the problem of pet over population and reducing euthanasia rates?

1. Fact: There are too many animals and not enough homes. We all need to be responsible pet owners and have our animals spayed & neutered. We need to do a better job of educating the public on the benefits of

spay/neuter.

2. Fact: Only 25% of the public searching for a pet actually adopt from an animal shelter or rescue group. The public needs to understand that by purchasing an animal from a pet store or breeder just further increases the number of animals who will not get a second chance at life. Keep in mind when a person makes a decision they can no longer care for an animal it will end up in an animal shelter or breed specific rescue group. I have yet to see a pet store or breeder take back unwanted animals!

3. Fact: Current laws regulating pet stores and breeders are too weak. Current laws pertaining to spay/neuter do not exist except for animal shelter and rescue groups where Florida law requires the animal to be spay/neutered when adopted. I call upon our elected State Officials specifically for Seminole, Representative Janet Long and Senator Dennis Jones to enact legislation strengthening breeding laws and to consider viable options to reducing the over pet population problem our State faces.

In conclusion, I want to express my disappointment with the St. Petersburg Times for their negative reporting of an organization that tries to do so much for our community. In my disappointment with the Times, I'm hopeful some good can be gained as a result of their story. It is very sad that not ALL animals taken into shelters are afforded a second chance at life. But unfortunately until the public decides to do something about the over pet population this sad scenario will continue to play out across State and Country.

I urge the supporters of the SPCA to continue with their support and ask those who may have been touched by this story to get involved with an animal shelter.

I urge every animal lover to seek the knowledge of the benefits of spay/neuter and to consider the adoption of their next family member from a shelter or rescue group.

I want to thank my fellow elected officials for granting me this time and I want to thank the public for their continued support of the SPCA Tampa Bay. Thank you!